

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Marisa Berwald	Team: Team # 8	CCRB Case #: 200716132	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 11/03/2007 9:50 AM	Location of Incident: § 87(2)(b) [REDACTED]		Precinct: 107	18 Mo. SOL 5/3/2009	EO SOL 5/3/2009
Date/Time CV Reported Sat, 11/03/2007 10:18 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Sat, 11/03/2007 10:18 AM		
<b>Complainant/Victim</b>	<b>Type</b>	<b>Home Address</b>			
[REDACTED]	[REDACTED]	[REDACTED]			
<b>Witness(es)</b>	<b>Home Address</b>				
[REDACTED]	[REDACTED]				
<b>Subject Officer(s)</b>	<b>Shield</b>	<b>TaxID</b>	<b>Command</b>		
1. POF Theresa Abbazia	26336	915210	107 PCT		
<b>Witness Officer(s)</b>	<b>Shield No</b>	<b>Tax No</b>	<b>Cmd Name</b>		
1. POM Brian Moschetto	06418	942244	107 PCT		
<b>Officer(s)</b>	<b>Allegation</b>			<b>Investigator Recommendation</b>	
A.POF Theresa Abbazia	Abuse: PO Theresa Abbazia searched the car in which § 87(2)(b) [REDACTED] was an occupant.			[REDACTED]	

### Synopsis

§ 87(2)(b) made a complaint to the CCRB on November 3, 2007, by phone. He stated that on November 3, 2007 he received a summons for his car idling in his driveway. § 87(2)(b) turned on his car and then went upstairs to retrieve his wallet, which he had forgotten in his home. He and his wife looked out of the window to make sure nothing happened to the car as it idled in the driveway. They observed a police car heading north on 159th Street. The police car reversed and came up to § 87(2)(b)'s car. The female officer, PO Abazzia, opened the door of § 87(2)(b)'s car and then looked inside. She opened the glove compartment. Then the officers reversed back down 84th Avenue, parked and waited for about 3 minutes. When § 87(2)(b) came downstairs PO Abazzia said, "Excuse me sir, is this your car?" She requested § 87(2)(b)'s license and registration, which he provided. PO Abazzia explained that it was illegal to have the car idling and that § 87(2)(b) had it idling for 10 minutes. § 87(2)(b) said that he had his car idling for 3 minutes. § 87(2)(b) told the officer that she shouldn't have looked through his car and PO Abazzia denied searching § 87(2)(b)'s car. § 87(2)(b) told PO Abazzia that he saw her search his car.

§ 87(2)(b) provided the name PO Abazzia from his summons and said that he also saw the name on the officer's badge. The allegation is, therefore, pleaded against PO Theresa Abbazia of the 107th Precinct.

§ 87(2)(b)'s case was referred to the ADR unit and was returned on March 18, 2008. On March 21, 2008, March 23, 2008 and May 5, 2008, § 87(2)(b) was sent letters. § 87(2)(b) scheduled an appointment on March 30, 2008, which he missed. He was sent a missed appointment letter on May 2, 2008. Phone calls were made to § 87(2)(b) on March 21, 2008, March 22, 2008, March 23, 2008, May 2, 2008 and May 5, 2008. The last message left for § 87(2)(b) stated that if he did not contact the CCRB by the following Thursday, May 8, 2008, his case might be closed. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

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Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: